

STATE WATER RIGHTS BOARD

ORDER

APPLICATION 19072

PERMIT 12497

LICENSE _____

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

THE STATE WATER RIGHTS BOARD HAVING DETERMINED THAT GOOD CAUSE HAS BEEN SHOWN FOR EXTENSION OF TIME WITHIN WHICH TO DEVELOP THE PROJECT PROPOSED UNDER PERMIT 12497; AND HAVING DIRECTED THAT THIS ORDER BE ISSUED;

NOW THEREFORE IT IS ORDERED THAT A NEW DEVELOPMENT SCHEDULE BE AND THE SAME IS HEREBY APPROVED AS FOLLOWS:

CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1969

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1969

DATED: NOV 30 1967

L. C. Spencer
L. C. SPENCER
CHIEF ENGINEER

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

ORDER

APPLICATION 19072

PERMIT 12497

LICENSE _____

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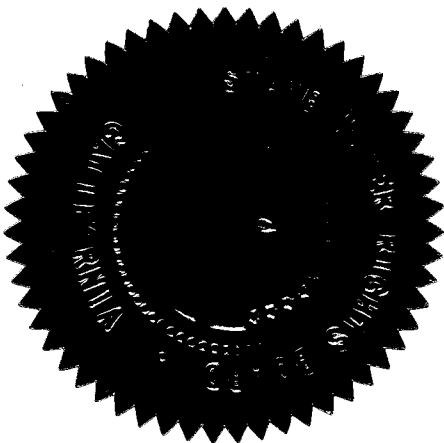
CONSTRUCTION WORK SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1966

APPLICATION OF THE WATER TO THE PROPOSED USE SHALL BE COMPLETED ON OR BEFORE DECEMBER 1, 1966

WITNESS MY HAND AND THE SEAL OF THE STATE WATER RIGHTS BOARD

THIS 16th day of March, 1965

L. K. Hill
L. K. HILL
EXECUTIVE OFFICER



SUPPLEMENT

Paragraph 4

The point of diversion for direct flow and for redirection of storage is to be located S31° 30' W, 3035 feet from N $\frac{1}{4}$ corner of Section 32, T14N, R17E, MDB&M, being within SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 32, T14N, R17E, MDB&M.

The point of diversion to storage is to be located 2800 feet south and 700 feet east of NW corner of Section 32, T14N, R17E, MDB&M, being within NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 32, T14N, R17E, MDB&M

Paragraph 6. (b)

Diversion of both direct flow and to storage will be by gravity; the diverting dam to storage is to be 2 feet in height (stream bed to level of overflow); 4 feet long on top; and constructed of concrete; the diverting dam of direct flow and of redirection of stored water returned to the stream is to be 12 feet in height (stream bed to level of overflow); 60 feet long on top; and constructed of earth.

Paragraph 8. (a)

To convey water from the point of diversion to storage an open ditch is to be constructed with width on top (at water line) 2 $\frac{1}{2}$ feet; width at bottom 1 $\frac{1}{2}$ feet; depth of water 0.5 foot; length 300 feet; grade 10 feet per 1000 feet; materials of construction is earth.

The ditch will be provided with a control gate to limit the flow to approximately 1 cubic foot per second.

Water stored in the Smith Reservoir will be held in reserve for use during late July, August and early September when the natural flow is at a minimum. The released storage water is commingled with the natural flow in the stream about 200 feet above the diversion works at the head of the pipe line.

In operating the system the entire stream may be diverted through the storage reservoir to maintain the water as fresh as possible.

[For full information concerning the filling out of this form refer to]
[Article 4 of Rules and Regulations Pertaining to Appropriation of Water]

STATE OF CALIFORNIA—STATE WATER RIGHTS BOARD

Application No. 19072 Filed November 9, 1959, at 4:45 P. M.
(Applicant must not fill in the above blanks)

APPLICATION TO APPROPRIATE UNAPPROPRIATED WATER

Notice of Change (Over)

I, Lawrence H. and Beryl S. Smith
Name of applicant or applicants
of 2765 13th Street, Sacramento County of Sacramento
Address
State of California, do hereby make application for a permit to appropriate the
following described unappropriated waters of the State of California, *SUBJECT TO VESTED RIGHTS*:

Source, Amount, Use and Location of Diversion Works

- The source of the proposed appropriation is unnamed stream (aka Smith Creek)
Give name of stream, lake, etc., if named; if unnamed state nature of source and that it is unnamed
located in El Dorado County, tributary to Lake Tahoe
 - The amount of water which applicant desires to appropriate under this application is as follows:
 - For diversion to be directly applied to beneficial use 0.07 cubic feet per
1 cubic foot per second equals 40 statute miner's inches or 646,317 gallons per day
second, to be diverted from January 1 to December 31 of each year.
Beginning date Closing date
 - For diversion to be stored and later applied to beneficial use 5 acre-feet
1 acre-foot equals 325,851 gallons
per annum, to be collected between January 1 and June 15 of each season.
Beginning date Closing date
- NOTE.—Answer (a) or (b) or both (a) and (b) as may be necessary. If amount under (a) is less than .025 cubic foot per second, state in gallons per day. Neither the amount nor the season may be increased after application is filed. If underground storage is proposed a special supplemental form will be supplied by the State Water Rights Board upon request. **Maximum rate of diversion to offstream storage = 1 cfs**
- The use to which the water is to be applied is domestic and fire protection
Domestic, irrigation, power, municipal, mining, industrial, recreational
purposes.
 - The point of diversion is to be located see supplement
State bearing and distance or coordinate distances from section or quarter section corner

being within the NW¹ of SW¹ and SW¹ of NW¹
State 40-acre subdivision of public land survey or projection thereof
of Section 32, T. 14N, R. 17E, M. D. B. & M., in the County of El Dorado

5. The main conduit terminates in SW¹ of SE¹ of Sec. 29, T. 14N, R. 17E, M. D. B. & M.
State 40-acre subdivision of U. S. Government survey or projection thereof

Description of Diversion Works

NOTE.—An application cannot be approved for an amount grossly in excess of the estimated capacity of the diversion works.

- Intake or Headworks (fill only those blanks which apply)
 - Diversion will be made by pumping from _____
Sump, offset well, unobstructed channel, etc.
 - Diversion will be by gravity, the diverting dam being see supplement feet in height (stream bed to level of overflow); _____ feet long on top; and constructed of _____
Concrete, earth, brush, etc.
 - The storage dam will be 12 feet in height (stream bed to overflow level); 200 feet long on top; have a freeboard of 3 feet, and be constructed of earth
Concrete, earth, etc.
- Storage Reservoir Smith
Name
The storage reservoir will flood lands in SW¹ of NW¹ of Section 32, T14N, R17E, MDB&M.
Indicate section or sections, also 40-acre subdivisions unless shown upon map
It will have a surface area of 2 acres, and a capacity of 5 acre-feet.

In case of insufficient space for answers in form, attach extra sheets at top of page 3 and cross reference.

8. Conduit System (describe main conduits only)

(a) Canal, ditch, flume: Width on top (at water line) _____ feet; width at bottom _____ feet; depth of water _____ feet; length _____ feet; grade _____ feet per 1,000 feet; materials _____

(b) Pipe line: Diameter _____ inches; length _____ feet; grade _____ feet per 1,000 feet; materials _____

9. The estimated capacity of the diversion conduit or pumping plant proposed is _____ 0.1 cubic foot per second

The estimated cost of the diversion works proposed is \$ _____

10. Construction work will begin on or before _____ August 1, 1960.

Construction work will be completed on or before _____ December 1, 1962.

The water will be completely applied to the proposed use on or before _____ December 1, 1965

Description of Proposed Use

11. Place of Use. Within SW₁ of SE₁, NW₁ of SE₁, NE₁ of SE₁, SW₁ of NE₁, SE₁ of NE₁, or _____

State 40-acre subdivisions of the public land survey. If area is unsurveyed indicate the location as if lines of the public land survey were projected. In the case of irrigation use state the number of acres to be irrigated in each 40-acre tract, if space permits. If space does not permit listing of all 40-acre tracts, describe area in a general way and show detail upon map.

(Do(es) applicant(s) own the land whereon use of water will be made? yes (partly) _____ yes (wife) _____ jointly? _____

12. Other Rights. Describe all rights except those on file with the State Water Rights Board under which water is served to the above named lands.

Nature of Right (riparian, appropriative, purchased water, etc.)	Year of First Use	Use made in recent years including amount if known	Season of Use	Source of Other Supply
1.				
2.				
3.				
4.				

Attach supplement at top of page 3 if necessary.

13. Irrigation Use. The area to be irrigated is _____ acres.

The segregation of acreage as to crops is as follows: Rice _____ acres; alfalfa _____ acres; pasture _____ acres.

NOTE.—Care should be taken that the various statements as to acreage are consistent with each other, with the statement in Paragraph 11, and with the map.

The irrigation season will begin about _____ and end about _____

Beginning date _____

Closing date _____

14. Power Use. The total fall to be utilized is _____ feet.

The maximum amount of water to be used through the penstock is _____ cubic feet per second.

The maximum theoretical horsepower capable of being generated by the works is _____ horsepower.

The use to which the power is to be applied is _____

For distribution and sale or private use, etc. _____

The nature of the works by means of which power is to be developed is _____

Turbine, Pelton wheel, etc. _____

The size of the nozzle to be used is _____ inches.

The water will not be returned to _____

Name stream _____

State 40-acre subdivision _____

of _____

T. _____

R. _____

B. & M. _____

P 12497

12-15-69 Records chgd to show Beryl S. Smith
as owner;
12-21-79 asgd to Lyle L. & Dorothy Jewell; Terrence L.
+ Lynne F. Jewell; Arthur B. & Avis P. Betts

IMPORTANT
[Please Read Carefully]

1. Note the terms and conditions of this permit. Construction work must be prosecuted, and the water applied to the beneficial uses intended with due diligence. Annual reports of progress will be expected from you upon forms which will be furnished for the purpose. When the water has been fully applied to the beneficial uses intended the Water Code requires that you notify the State Water Rights Board thereof.
2. Neither this application nor the permit is a water right, but if the terms and conditions of the permit are observed a water right can be obtained through beneficial use of the water—the extent of the right to be determined by a field inspection which will be made by a representative of the State Water Rights Board.
3. No change in point of diversion, or place of use or character of use, can be made under this application and permit without the approval of the State Water Rights Board.
4. If the rights under this permit are assigned immediate notice to that effect with the name and address of the new owner should be forwarded to the State Water Rights Board, Sacramento, California.
5. Please advise immediately of any change of address. Until otherwise advised communications will be sent to the address used in the letter transmitting this permit.

APPLICANT MUST NOT FILL IN BLANKS BELOW

PERMIT No. 12497

This is to certify that the application of which the foregoing is a true and correct copy has been considered and approved by the State Water Rights Board SUBJECT TO VESTED RIGHTS and the following limitations and conditions:

1. The amount of water appropriated shall be limited to the amount which can be beneficially used, and shall not exceed seven hundredths (0.07) cubic foot per second by direct diversion to be diverted from January 1 to December 31 of each year, and five (5) acre-feet per annum by storage to be collected from about January 1 to about June 15 of each year.

2. The maximum amount herein stated may be reduced in the license if investigation so warrants.

3. Actual construction work shall begin on or before December 31, 1960, and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted this permit may be revoked.

4. Said construction work shall be completed on or before December 1, 1962.

5. Complete application of the water to the proposed use shall be made on or before December 1, 1963.

6. Progress reports shall be filed promptly by permittee on forms which will be provided annually by the State Water Rights Board until license is issued.

7. All rights and privileges under this permit including method of diversion, method of use and quantity of water diverted are subject to the continuing authority of the State Water Rights Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable method of use or unreasonable method of diversion of said water.

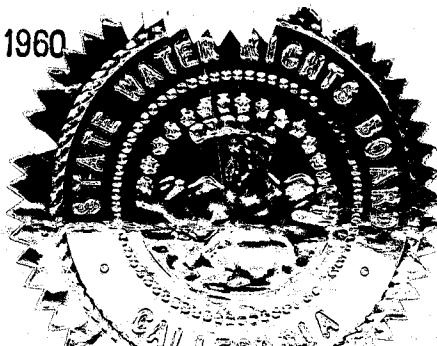
This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: OCT 6 1960



STATE WATER RIGHTS BOARD

L. K. Hill
L. K. Hill
Executive Officer

12497

15. **Municipal Use.** This application is made for the purpose of serving _____
Name city or cities, town or towns. Urban areas only

_____ having a present population of _____

The estimated average daily consumption during the month of maximum use at the end of each five-year period until the full amount applied for is put to beneficial use is as follows:

16. **Mining Use.** The name of the mining property to be served is _____
Name of claim

_____ and the nature of the mines is _____
Gold placer, quartz, etc.

The method of utilizing the water is _____

It is estimated that the ultimate water requirement for this project will be _____
Cubic feet per second, gallons per minute. State basis of estimate

The water ^{will} ~~will not~~ be polluted by chemicals or otherwise _____
Explain nature of pollution, if any

and it ^{will} ~~will not~~ be returned to _____ in _____ of _____
Name stream State 40-acre subdivision

Sec. _____, T. _____, R. _____, B. & M. _____

17. **Other Uses.** The nature of the use proposed is Domestic and fire protection, subdivision of
Industrial, recreational, domestic, stockwatering, fish culture, etc.

200 lots

State basis of determination of amount needed. _____
Number of persons, residences, area of domestic lawns and gardens, number and kind of stock, type

_____ industrial use, and unit requirements _____

General

18. Are the maps as required by the Rules and Regulations filed with Application? yes If not, _____
Yes or No
 state specifically the time required for filing same _____

19. Does the applicant own the land at the proposed point of diversion? no If not, give name and _____
Yes or No
 address of owner and state what steps have been taken to secure right of access thereto _____

Special use permit from Eldorado National Forest

20. What is the name of the post office most used by those living near the proposed point of diversion?

Meeks Bay, California

21. What are the names and addresses of claimants of water from the source of supply below the proposed point of diversion? None known

[SIGNATURE OF APPLICANT] /s/ Lawrence H. Smith
Beryl S. Smith